

**TO:** James L. App, City Manager  
**FROM:** John Falkenstien, Interim Community Development Director  
**SUBJECT:** Appeal of Planning Commission Denial of Application to Amend Planned Development PD 03-008 (Gilson)  
**DATE:** January 3, 2006

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**Needs:** For the City Council to consider an appeal of Planning Commission denial to amend PD 03-008. The Amendment is an application filed by Jack Wiest on behalf of Robert Gilson to modify the Condition No. 16 of Planned Development 03-008 to eliminate the requirement to pave a portion of an alley.

**Facts:**

1. Planned Development 03-008, the Stables Hotel, was approved by the Planning Commission on September 9, 2003. The Stables Hotel project is located at 1021 Pine Street.
2. Condition No. 16 of Planning Commission approval of the Stables project requires improvements to the alley along the north side of the project from Pine Street to Park Street.
3. In November 2005 the applicant filed an appeal to the Planning Commission of PD 03-008 requesting modification of Condition No. 16 to eliminate the paving requirement for the portion of the alley that does not front the Stables project boundary (the westerly half of the alley).
4. At their meeting of November 22, 2005, the Planning Commission denied the appeal in a 5-2 vote, with Commissioners Menath and Steinbeck dissenting.

**Analysis  
and**

**Conclusions:** The applicant has requested that the Planning Commission modify Condition No. 16 of Planned Development 03-008, approved in September, 2003, by eliminating the alley paving requirement from the middle of the block to Park Street. This section of the alley is not directly adjacent to the project. The applicant does not object to improving the alley adjacent to his project from Pine Street to the middle of the block.

It has been the consistent policy of the Planning Commission and the City Council to require alley paving in accordance with City Standard A-17 from the project frontage to the nearest street. The improvements typically include alley approaches at the street connections.

While the improvement to the entire alley would be a nice amenity to the project, and the downtown area, required paving beyond mid-block, west of the project frontage, is over and above the alley paving policies that have been consistently applied to other projects.

The Commissioners, in their decision to uphold the alley paving requirement, stated that the alley access from Park Street is essential to the operation of the Hotel, and therefore this section of alley, from Park Street, should be improved with the Hotel development.

**Policy**

**Reference:** City Standard Details and Specifications

**Fiscal**

**Impact:** Alley improvements not completed by private development can only be completed from General Fund resources. Other adjacent properties could be required to improve this section of alley when and if these properties develop in the future.

**Options:**

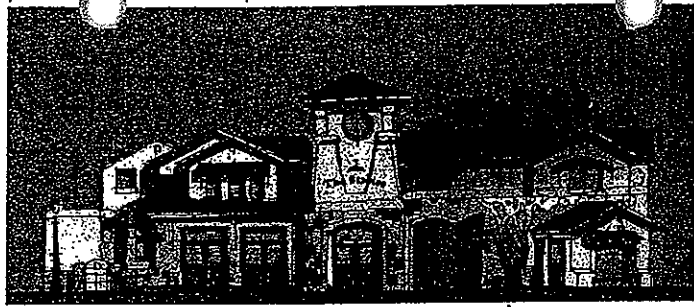
- a. Adopt Resolution No. 06-xxx upholding the Planning Commission's decision to deny an amendment to Planned Development 03-008, and to maintain Condition No. 16 as adopted requiring the applicant to improve the alley between Park and Pine Streets in accordance with City Standard A-17.
- b. Adopt Resolution No. 06-xxx to approve the applicant's request to amend Condition No. 16 of Planning Commission approval of Planned Development 03-008 with the following language:

*Prior to occupancy, the applicant shall improve the alley along the north and west sides of the project. The alley improvements shall be constructed in accordance with City Standard A-17 with an alley approach installed at Pine Street in accordance with City Standard B-6.*

- c. Amend, modify, or reject one of the above options.

Attachments: (5)

1. Vicinity Map
2. City Standard Drawing A-17
3. Mail Notice Newspaper and Affidavits
4. Draft Resolution to deny Amendment (Option A)
5. Draft Resolution to approve Amendment (Option B)

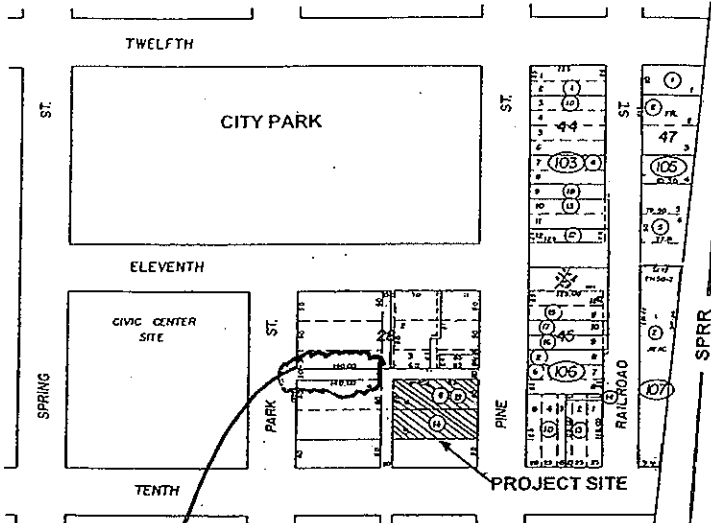


CONCEPTUAL RENDERING

# "THE STABLES"

PASO ROBLES, CA

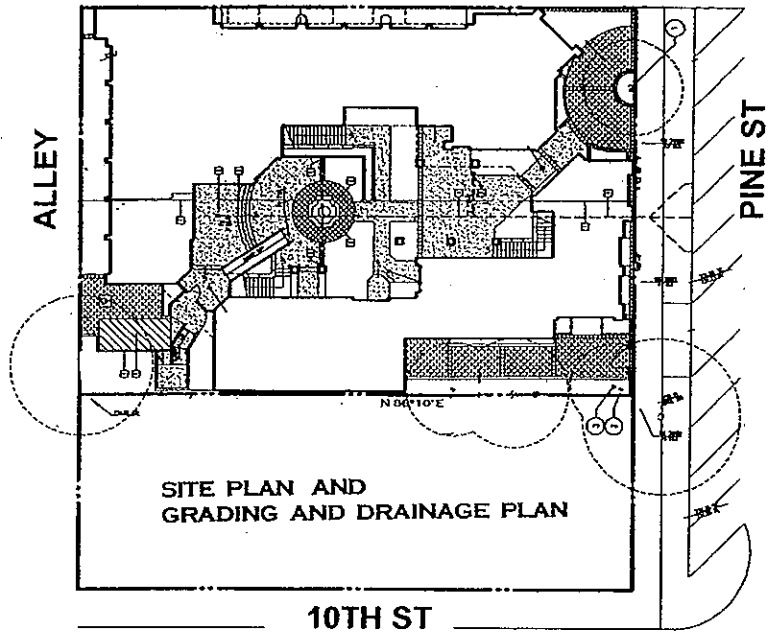
VICINITY MAP - PD 03-008



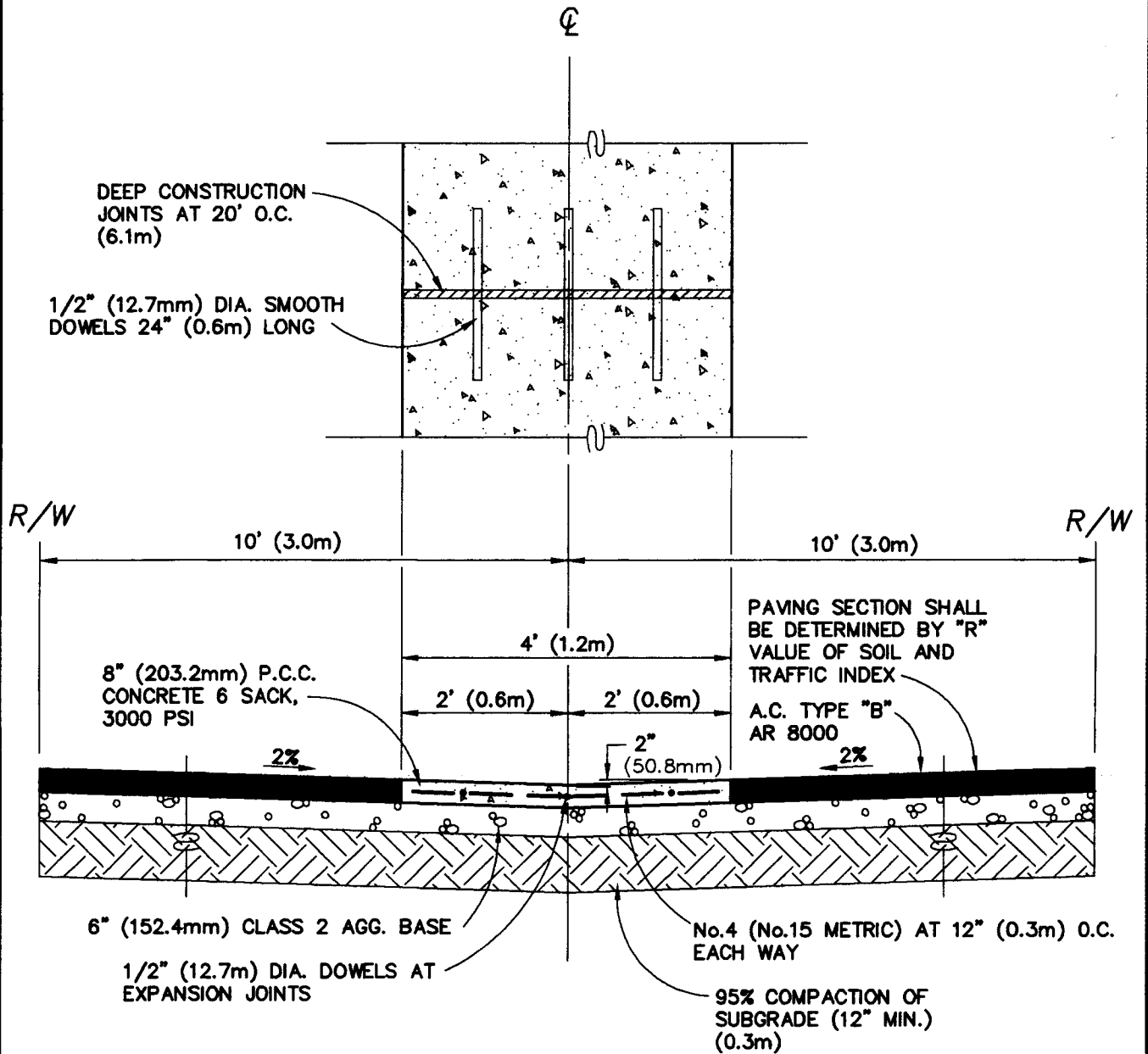
↑  
North

Portion of alley in question

## ALLEY



REVISIONS			
DESCRIPTIONS	BY	DATE	APPROVED



## ALLEY SECTION

TRAFFIC INDEX: 5.0  
 DESIGN SPEED: 25 MPH  
 (40.2km per hour)

DRAWN BY:  
C.A.C.

DESIGNED BY:

DATE:  
4/18/94

FILE NAME:  
PR-A-17.DWG

CITY OF PASO ROBLES  
 ENGINEERING DIVISION

DRAWING NO.

ALLEY SECTION

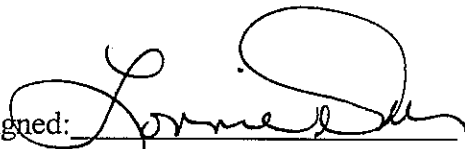
A-17

**AFFIDAVIT**  
**OF MAIL NOTICES**  
**PLANNING COMMISSION/CITY COUNCIL PROJECT NOTICING**

I, Lonnie Dolan, employee of the City of El Paso de Robles, California, do hereby certify that the mail notices have been processed as required for Appeal of denial to Amend Planned Development 03-008 (Gilson/The Stables) on this 21st day of December, 2005.

City of El Paso de Robles  
Community Development Department  
Planning Division

Signed: \_\_\_\_\_

  
Lonnie Dolan

PROOF OF PUBLICATION

LEGAL NEWSPAPER NOTICES

PLANNING COMMISSION/CITY COUNCIL  
PROJECT NOTICING

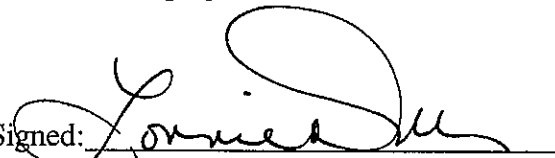
Newspaper: Tribune

Date of Publication: December 21, 2005  
(City Council)

Meeting Date: January 3, 2006

Project: Appeal of Planning Commission  
Denial to Amend Planned  
Development 03-008  
(Gilson/The Stables)

I, Lonnie Dolan, employee of the Community Development Department, Planning Division, of the City of El Paso de Robles, do hereby certify that this notice is a true copy of a published legal newspaper notice for the above named project.

Signed:   
Lonnie Dolan

NOTICE OF PUBLIC HEARING:

NOTICE IS HEREBY GIVEN that the City Council of the City of El Paso de Robles will hold a Public Hearing to consider the following application filed by Jack Wiest on behalf of Robert Gilson: (The Stables Project):

Appeal of the Planning Commission's decision on November 22, 2005, to deny the request to amend Planned Development 03-008, Condition No. 16 of Resolution No. 03-068, related to the improvements to the alley between Park Street and Pine Street. At that meeting, Mr. Gilson was requesting to amend the condition to only require improvements to the alley for the project frontage and not out to Park Street. The Commission denied that request.

The hearing will take place in the Conference Room at the Paso Robles Library/City Hall, 1000 Spring Street, Paso Robles, California, at the hour of 7:30 PM on the following dates:

City Council - Tuesday, January 3, 2006

All interested parties may appear and be heard at the above hearing.

The proposed Appeal may be reviewed at the Community Development Department, 1000 Spring Street, Paso Robles, California between the date of publication of this notice and the date of the hearings.

Comments on the proposed project may be mailed to the Community Development Department, 1000 Spring Street, Paso Robles, CA 93446 provided that such comments are received prior to the time of the respective hearings.

If you challenge the Appeal in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing.

Darren R. Nash, Associate Planner  
Dec. 21, 2005 6298464

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
DENYING AN APPLICATION FOR AMENDMENT TO PLANNED DEVELOPMENT  
PD 03-008 THE STABLES HOTEL (GILSON)

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WHEREAS, Planned Development PD 03-008, the Stables Hotel at 1021 Pine Street, was approved by Planning Commission Resolution No. 03-068 on September 9, 2003; and

WHEREAS, Condition No. 16 of Planning Commission approval of PD 03-008 requires improvements to the alley along the north side of the project from Pine Street to Park Street; and

WHEREAS, In November, 2005, the applicant filed an appeal to the Planning Commission of PD 03-008 requesting modification of Condition No. 16 to eliminate the paving requirement for the portion of the alley that does not front the Stables project (the westerly half of the alley); and

WHEREAS, at their meeting of November 22, 2005, the Planning Commission voted to deny the appeal and retain Condition No. 16 as originally adopted based upon the project's impact on the entire length of the alley; and

WHEREAS, the City Council finds that the project's impact on the entire length of the alley is significant and that Condition No. 16 as adopted by the Planning Commission is an appropriate mitigation.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby deny the appeal and does uphold the Planning Commission approval of Planned Development 03-008, subject to the conditions outlined in Planning Commission Resolution No. 03-068.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 3<sup>rd</sup> day of January 2006 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Cathy M. David, Deputy City Clerk

OPTION A

RESOLUTION NO. 06-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING AN AMENDMENT TO PLANNED DEVELOPMENT PD 03-008  
THE STABLES HOTEL (GILSON)

---

WHEREAS, Planned Development PD 03-008, the Stables Hotel at 1021 Pine Street, was approved by Planning Commission Resolution No. 03-068 on September 9, 2003; and

WHEREAS, Condition No. 16 of Planning Commission approval of PD 03-008 requires improvements to the alley along the north side of the project from Pine Street to Park Street; and

WHEREAS, In November, 2005, the applicant filed an appeal to the Planning Commission of PD 03-008 requesting modification of Condition No. 16 to eliminate the paving requirement for the portion of the alley that does not front the Stables project (the westerly half of the alley); and

WHEREAS, at their meeting of November 22, 2005, the Planning Commission voted to deny the appeal and retain Condition No. 16 as originally adopted; and

WHEREAS, it has been the consistent policy of the City Council to require alley paving in accordance with City Standard A-17 from the project frontage to the nearest street; and

WHEREAS, the request of the applicant to modify Condition No. 16 of PD 03-008 is consistent with the Council's policy of alley improvement requirements; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of El Paso de Robles does hereby approve the appeal and approve the Amendment to Planning Commission approval of Planned Development 03-008, by modification of Condition No. 16 as follows:

Prior to occupancy, the applicant shall improve the alley along the north and west sides of the project. The alley improvements shall be constructed in accordance with City Standard A-17 with an alley approach installed at Pine Street in accordance with City Standard B-6.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 3<sup>rd</sup> day of January 2006 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Cathy M. David, Deputy City Clerk

**OPTION B**